

NUCLEAR REGULATORY COMMISSION
DOCKET NO. 030-33944
October 29, 2003

Environmental Assessment and Finding of No Significant Impact
Related to Issuance of a License Amendment
of U.S. Nuclear Regulatory Commission Materials License No. 37-30247-01,
Issued to White Eagle Toxicology Laboratories, Inc.

The U.S. Nuclear Regulatory Commission (NRC) is considering terminating Materials License Number 37-30247-01 and authorizing the release of the licensee's facilities in Doylestown, Pennsylvania, for unrestricted use and has prepared an Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) in support of this action.

SUMMARY: The NRC reviewed the results of the decommissioning of the White Eagle Toxicology Laboratories, Inc.'s facility in Doylestown, Pennsylvania. White Eagle Toxicology Laboratories, Inc. was authorized by NRC from September 20, 1995 to use radioactive materials for research and development purposes at the site. In 2003, White Eagle Toxicology Laboratories, Inc. ceased operations with licensed materials at the Doylestown, Pennsylvania site, and requested that NRC terminate the license. White Eagle Toxicology Laboratories, Inc. has conducted surveys of the facility and determined that the facility meets the license termination criteria in Subpart E of 10 CFR Part 20. The NRC staff has evaluated White Eagle Toxicology Laboratories, Inc.'s request and the results of the surveys, and has developed an EA in accordance with the requirements of 10 CFR Part 51. Based on the staff evaluation, the conclusion of the EA is a Finding of No Significant Impact (FONSI) on human health and the environment for the proposed licensing action.

Introduction

White Eagle Toxicology Laboratories, Inc. requested release for unrestricted use of the building at 2003 Lower State Road, Doylestown, Pennsylvania as authorized by the NRC License No. 37-30247-01 and termination of the license. The building is 24,000 square feet of general office and laboratory space located in a mixed residential/commercial area.

License No. 37-30247-01 was issued in 1995 and amended periodically since that time. NRC-licensed activities performed at the Doylestown site were limited to laboratory procedures typically performed on animals using technetium-99m, carbon-14, and tritium. No outdoor areas were affected by the use of licensed materials.

Licensed activities ceased completely in May 2003 and the licensee requested release of the facility for unrestricted use and termination of the license. Based on the licensee's historical knowledge of the site and the conditions of the facility, the licensee determined that only routine decontamination activities, in accordance with licensee radiation safety procedures, were required. A decommissioning plan was not required to be submitted to the NRC. The licensee surveyed the facility, decontaminated or remediated areas as needed, and provided documentation that the facility meets the license termination criteria specified in Subpart E of 10 CFR Part 20, and does not require additional decommissioning activities to be performed. The

White Eagle Toxicology Laboratories, Inc.
Environmental Assessment

licensee demonstrated this using the screening criteria described in 65 FR 37186. The licensee subsequently requested that the facility be released for unrestricted use and that the license be terminated.

The Proposed Action

The proposed action is to terminate Materials License No. 37-30247-01 and release the facility at 2003 Lower State Road, Doylestown, Pennsylvania for unrestricted use. By letter dated August 6, 2003, White Eagle Toxicology Laboratories, Inc. stated that no further actions are required to remediate the facility and provided survey results which demonstrate that the Doylestown facility is in compliance with the radiological criteria for license termination in Subpart E, 10 CFR Part 20, "Radiological Criteria for License Termination."

Purpose and Need for the Proposed Action

The purpose of the proposed action is to amend NRC Materials License No. 37-30247-01, to allow for the release of the building for unrestricted use and terminate the license. The licensee needs this license change because it no longer plans to conduct licensed activities at this facility. NRC is fulfilling its responsibilities under the Atomic Energy Act to make a decision on a proposed license amendment for release of facilities for unrestricted use and termination of a license that ensures protection of public health and safety and the environment. The licensee has requested the action to reduce their regulatory burden since they no longer intend to conduct licensed activities at this location.

Alternative to the Proposed Action

Since the facility at the White Eagle Toxicology Laboratories, Inc. site has already been surveyed and found acceptable for release for unrestricted use, the only alternative to the proposed action of termination of the license and release of the Doylestown site for unrestricted use is no action. The no-action alternative is not acceptable because the licensee does not plan to perform any activities with licensed materials at these locations and does not plan to maintain staff to perform licensed activities. Maintaining the areas under a license would provide negligible, if any, environmental benefit and would reduce options for future use of the property.

The Affected Environment and Environmental Impacts

The affected environment was described in the Introduction. The licensee has completed all remediation at the site. The NRC staff has reviewed the surveys performed by White Eagle Toxicology Laboratories, Inc. to demonstrate compliance with the 10 CFR 20.1402 license termination criteria. Based on its review, the staff has determined that the affected environment and environmental impacts associated with the release for unrestricted use of the White Eagle Toxicology Laboratories, Inc. facilities are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities" (NUREG-1496). The staff also finds that the proposed release for unrestricted use of the White Eagle Toxicology Laboratories, Inc. facilities

White Eagle Toxicology Laboratories, Inc.
Environmental Assessment

is in compliance with Title 10, Code of Federal Regulations, Part 20.1402, "Radiological Criteria for Unrestricted Use." The NRC has found no other activities in the area that could result in cumulative impacts.

Agencies and Persons Consulted

This Environmental Assessment was prepared entirely by the NRC staff. The State Office of Historical Preservation, the State Fish and Wildlife Service, and the U.S. Fish and Wildlife Service were not contacted because release of the White Eagle Toxicology Laboratories, Inc. facility for unrestricted use does not affect historical or cultural resources, nor will it affect threatened or endangered species. No other sources were used beyond those referenced in this EA.

NRC provided a draft of its Environmental Assessment to the Commonwealth of Pennsylvania for review. On September 17, 2003, the Commonwealth of Pennsylvania responded by electronic mail and agreed with the conclusions of the EA.

Conclusions and Finding of No Significant Impact

Based on its review, the NRC staff has concluded that the completed action complies with 10 CFR Part 20. NRC has prepared this EA in support of the proposed license amendment to terminate the license and release the facility for unrestricted use. On the basis of the EA, NRC has concluded that the environmental impacts from the proposed action are expected to be insignificant and has determined not to prepare an environmental impact statement for the proposed action.

List of Preparers

Kathy Dolce Modes, Health Physicist, Division of Nuclear Materials Safety, Region I

List of References

1. NRC License No. 37-30247-01 inspection and licensing records.
2. White Eagle Toxicology Laboratories, Inc.'s Request for Termination dated May 27, 2003 [ADAMS Accession No. ML031631110] and Final Status Survey Results for White Eagle Toxicology Laboratories, Inc. of Doylestown, Pennsylvania dated August 6, 2003 [ADAMS Accession No. ML032260158].
3. Federal Register Notice, Volume 65, No. 114, page 37186, dated Tuesday, June 13, 2000, "Use of Screening Values to Demonstrate Compliance With The Federal Rule on Radiological Criteria for License Termination."
4. Title 10 Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination."

White Eagle Toxicology Laboratories, Inc.
Environmental Assessment

5. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions."
6. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."

The application for the license amendment and supporting documentation are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. Any questions with respect to this action should be referred to Kathy Dolce Modes, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5251, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 20th day of October 2003

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by John D. Kinneman

John D. Kinneman, Chief
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety
Region I

White Eagle Toxicology Laboratories, Inc.
Environmental Assessment

DOCUMENT NAME: C:\ORPCheckout\FileNET\ML032930181.wpd

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	KModesKAD		JKinneman					
DATE	9/17/2003		10/20/2003					

OFFICIAL RECORD COPY